



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. **09/667,424** Confirmation No.: 8861  
Applicant(s): **YOSHIYUKI SOGAWA**  
Filed: **September 21, 2000**  
TC/A.U. **2851**  
Examiner: **G. Selby**  
Title: **A STRUCTURE FOR MOUNTING A STEREO CAMERA APPARATUS**  
  
Docket No.: **032405.043**  
Customer No.: **25461**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**MOTION TO WITHDRAW TERMINAL DISCLAIMER**

Now comes applicant, through undersigned counsel, and respectfully requests in accordance with 37 C.F.R. § 1.182 that the terminal disclaimer filed on September 7, 2004, be withdrawn.

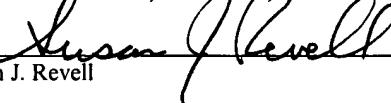
In accordance with the Manual of Patent Examining Procedure § 1490 and in accordance with the decision in *In re Gentoft*, 392 F.2d 633, 157 U.S.P.Q. 363 (CCPA 1968), this petition is filed to request the withdrawal of the terminal disclaimer.

In the Official Action of June 4, 2004, there was a rejection entered in connection with Claim 5 and it was pointed out that "Claim 5, which is dependent on Claim 1, is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being

---

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 1, 2004.

  
\_\_\_\_\_  
Susan J. Revell

10/05/2004 ZJUHAR1 00000015 09667424  
LIT878649.1  
01 FC:1814  
02 FC:9998

LIT878649.1

unpatentable over Claim 31, which is dependent on Claim 22 of co-pending application No. 09/665,950."

Claim 31 has now been deleted from application No. 09/665,950, and therefore, the grounds for the rejection of Claim 5 no longer apply.

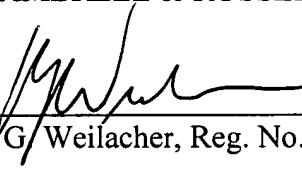
Accordingly, it is believed that the terminal disclaimer was filed through inadvertence and error without any deceptive intention and withdrawal thereof is respectfully requested.

The petition fee is filed herewith.

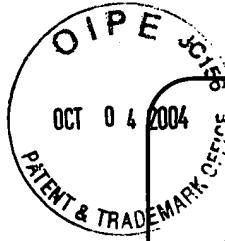
Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:

  
Robert G. Weilacher, Reg. No. 20,531

Suite 3100, Promenade II  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3592  
Telephone: (404) 815-3593  
Facsimile: (404) 685-6893



**Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**

OCT 04 2004

# **FEE TRANSMITTAL**

## **for FY 2004**

*Effective 10/01/2003. Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 130)

<i><b>Complete If Known</b></i>	
Application Number	09/667,424
Filing Date	September 21, 2000
First Named Inventor	YOSHIYUKI SOGAWA
Examiner Name	G. Selby
Art Unit	2851
Attorney Docket No.	032405.043

*\*\*or number previously paid, if greater; For Reissues, see above*

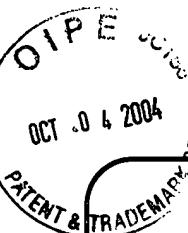
SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Robert G. Weilacher	Registration No. (Attorney/Agent)	20,531	Telephone
Signature			Date	October 1, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Agl 2851  
Jew

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/667,424
		Filing Date	September 21, 2000
		First Named Inventor	Sogawa
		Art Unit	2851
		Examiner Name	G. Selby
Total Number of Pages in This Submission		Attorney Docket Number	032405.043

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Motion to Withdraw Terminal Disclaimer; \$130 check; return receipt postcard;
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Robert G. Weilacher, 20,531
Signature	
Date	October 1 2004

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Susan J. Revell		
Signature		Date	October 1, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.